

Maine Revised Statutes
Title 26: LABOR AND INDUSTRY
Chapter 13: UNEMPLOYMENT COMPENSATION

§1226. APPEAL OF ASSESSMENT

1. Appeal to the commission.

A. An employer may appeal determinations by the commissioner or the commissioner's designated representatives made under sections 1221, 1222 and 1225, or an assessment made under section 1225, to the commission by filing an appeal, in accordance with regulations that the commission prescribes, within 30 days after notification is mailed to the employer's last known address as it appears in the records of the bureau or, in the absence of such mailing, within 30 days after the notification is delivered. If the employer fails to perfect this appeal, the assessment or determination is final as to law and fact. [1995, c. 657, §6 (AMD); 1995, c. 657, §10 (AFF).]

B. Upon appeal from such assessment or determination the commission shall, after affording the appellant and the commissioner's designated representative a reasonable opportunity for a fair hearing, make finding of facts and render its decision, which may affirm, modify or reverse the action of the designated representative. The conduct of the hearings shall be governed by regulations of the commission consistent with Title 5, section 9051 et seq. The commission shall promptly notify the parties to the proceeding of its finding of facts and its decision. The decision shall be subject to appeal pursuant to Title 5, section 11001 et seq. The commissioner shall have the right to appeal a final decision of the Maine Unemployment Insurance Commission to the Superior Court. [1983, c. 351, §30 (AMD).]

[1995, c. 657, §6 (AMD); 1995, c. 657, §10 (AFF) .]

2. Appeal to Superior Court.

[1977, c. 694, §481 (RP) .]

3. Conclusiveness of determination. Any determination or decision duly made in proceedings under section 1082, subsection 14, or this subchapter, which has become final, shall be binding in any proceedings relating to applications or requests for refunds or credit, insofar as such determination or decision necessarily involves the issue of whether an employing unit constitutes an employer or whether services performed for, or in connection with, the business of such employing unit constitute employment.

[1975, c. 462, §9 (NEW) .]

SECTION HISTORY

1975, c. 462, §9 (NEW). 1977, c. 460, §9 (AMD). 1977, c. 694, §§480-481 (AMD). 1979, c. 127, §164 (AMD). 1979, c. 579, §§38,39 (AMD). 1979, c. 651, §§39,40,47 (AMD). 1981, c. 286, §§5,6 (AMD). 1983, c. 351, §§29,30 (AMD). 1995, c. 657, §6 (AMD). 1995, c. 657, §10 (AFF).

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